

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Barry et al.

Patent No.: 5,633,435

Issued: May 27, 1997

Atty. Dkt. No.: 11899.0175.REUS07

For: GLYPHOSATE-TOLERANT 5-
ENOLPYRUVYLSHIKIMATE-3-
PHOSPHATE SYNTHASES

PRELIMINARY AMENDMENT AND REMARKS

Commissioner for Patents
Washington, D.C. 20231

Sir:

Please enter the following amendment prior to examination of this reissue application:

IN THE CLAIMS:

Please amend claims 4, 7, 9, 15, 17, 20, 32, 34, 37, 53-60, 69, 70, 74, and 75 as follows:

4. (Amended) A recombinant, double-stranded DNA molecule comprising in sequence:
 - a) a promoter which functions in plant cells to cause the production of an RNA sequence;
 - b) a structural DNA sequence that causes the production of an RNA sequence which encodes a EPSPS enzyme having the sequence domains: